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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 In re TFT-LCD (FLAT PANEL) ANTITRUST
18 LITIGATION

Master Docket No. 07-m-1827 SI
Case Nos. C 09-5840 SI; 11-cv-02495 SI

19 || This Document Relates To:

**STIPULATION TO CONTINUE
HEARINGS ON MOTIONS TO
DISMISS**

20 *Motorola Mobility, Inc. v. AU Optronics Corporation, et al., C 09-5840 SI*

21 *Jaco Electronics, Inc. v. AU Optronics*
22 *Corporation, et al., 11-cv-02495 SI*

1 Whereas, defendants Philips Electronics North America Corporation (“PENAC”),
 2 Samsung SDI Co. Ltd., Samsung SDI America, Inc. (“Samsung SDI”), and Sanyo Consumer
 3 Electronics Co., Ltd. (“Sanyo CE”) filed Motions to Dismiss plaintiff Motorola Mobility, Inc.’s
 4 (“Motorola”) Third Amended Complaint (“TAC”) on September 12, 2011;¹

5 Whereas, defendants PENAC, Koninklijke Philips Electronics N.V. (“Royal Philips”),
 6 Sanyo CE, Sanyo North America Corporation (“Sanyo NA”), Hannstar Display Corporation²
 7 (“Hannstar”) filed Motions to Dismiss plaintiff Jaco Electronics Inc.’s (“Jaco”) First Amended
 8 Complaint (“FAC”) on October 12, 2011;³

9 Whereas, the motions to dismiss the Motorola TAC are currently set for hearing on
 10 November 4, 2011;

11 Whereas, the motions to dismiss the Jaco FAC are currently set for hearing on November
 12 18, 2011;

13 Whereas, on October 19, 2011, counsel for the Direct Purchaser Plaintiff class filed an
 14 application with the Court seeking to continue the hearing on the motions to dismiss the Motorola
 15 TAC to November 18, 2011, December 2, 2011, or another date of the Court’s choosing;

16 Whereas, PENAC, Samsung SDI, Sanyo CE and Motorola object to moving the hearing
 17 date on the motions to dismiss the Motorola TAC, and believe that a continuance of the hearing
 18 on the motions to dismiss the Motorola TAC, if the Court chooses to grant one, should be as short
 19 as possible, given the “Track One” trial schedule;

20 Whereas, the parties believe that in the interest of efficiency, the motions to dismiss the
 21

22 ¹ Docket Nos. 3528, 3529 and 3530.

23 ² Hannstar’s Motion was joined by AU Optronics Corporation, AU Optronics Corporation
 24 America, Chi Mei Corporation, Chimei Innolux Corporation (f/k/a Chimei Optoelectronics
 25 Corp.), Chimei Optoelectronics USA, Inc., CMO Japan Co., Ltd., Nexgen Mediatech, Inc.,
 26 Nexgen Mediatech USA, Inc., Epson Imaging Devices Corporation, Epson Electronics America,
 27 Inc., LG Display Co., Ltd., LG Display America, Inc., Sharp Corporation And Sharp Electronics
 28 Corporation, Tatung Company Of America, Inc., Chunghwa Picture Tubes, Ltd., Sanyo
 Consumer Electronics Co., Ltd., Sanyo North America Corporation, Samsung SDI America, Inc.,
 Samsung SDI Co., Ltd., Toshiba Corporation, Toshiba America Electronic Components, Inc.,
 Toshiba Mobile Display Technology Co., Ltd., and Toshiba America Information Systems, Inc.

3 ³ Docket Nos. 3873, 3876, 3879 and 3880.

1 Motorola TAC should be decided prior to further briefing on the motions to dismiss the Jaco
 2 FAC, because the Jaco motions assert similar arguments to those raised in connection with the
 3 Motorola motions to dismiss.

4 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
 5 undersigned counsel, on behalf of their respective clients, Motorola and Jaco, on the one hand,
 6 and, PENAC, Royal Philips, Samsung SDI, Sanyo CE, Sanyo NA and Hannstar, on the other
 7 hand, as follows:

8 1. Should the Court grant the DPPs' request to continue the hearing on the motions to
 9 dismiss the Motorola TAC, the hearing on all three motions shall be continued to November 18,
 10 2011;

11 2. The hearing on the motions to dismiss the Jaco FAC shall be continued to January
 12 ¹³
 6, 2011, and the briefing schedule shall be extended, as follows:
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13 a. Oppositions to be filed by: December 14, 2011
 14 b. Replies to be filed by: December 23, 2011

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1 Dated: October 21, 2011

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3 /s/ Nathaniel J. Wood

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1 **Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the**
2 **filing of this document has been obtained from Michael W. Scarborough, Brendan P.**
3 **Cullen, Allison A. Davis and Christopher M. Wyant.**

4 **IT IS SO ORDERED.**

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6 Dated: _____, 2011

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Susan Illston, United States District Judge

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